

PATENT
450100-3580.2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Continuation of Serial No. 09/384,894

Applicant : Kan EBISAWA
Filed : Herewith
For : APPARATUS AND METHOD FOR EXECUTING A GAME PROGRAM
HAVING ADVERTISEMENTS THEREIN
Examiner : J. Romain
Art Unit : 2163

745 Fifth Avenue
New York, New York 10151
Tel. (212) 588-0800

EXPRESS MAIL

Mailing Label Number EV 001579921 US
Date of Deposit December 6, 2001
I hereby certify that this paper or fee is being
deposited with the United States Postal Service
"Express Mail Post Office to Addressee" Service
under 37 CFR 1.10 on the date indicated above and
is addressed to the U.S. Patent and Trademark Office,
P.O. Box 2327, Arlington, Virginia 22202

Charles Jackson
(Typed or printed name of person
mailing paper or fee)

Charles Jackson
(Signature of person mailing paper or fee)

FIRST PRELIMINARY AMENDMENT

U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, Virginia 22202

Sir:

Before the issuance of the first Official Action,
please amend the above-identified application as follows:

IN THE SPECIFICATION:

Page 1, line 1, please change "BACKGROUND OF THE INVENTION" to --FIELD OF THE INVENTION--;

before line 8, please insert --BACKGROUND OF THE INVENTION--.

Page 3, line 13, before "apparatus", please insert --an--.

Page 9, line 2, please change "fig. 5a" to --fig. 5A--.

IN THE CLAIMS:

Please amend claim 1 as follows:

1. (Amended) Apparatus for executing an executable program displaying data having advertisements therein, comprising:

storage means for storing an executable program;

means for receiving advertising data relating to at least one advertisement, and wherein said storage means stores the received advertising data; and

execution means for executing said executable program stored in said storage means and outputting display data incorporating the advertisement data stored in said storage means

within an original display data generated by said executable program.

Please add new claims 53-283 as follows:

53. The apparatus of claim 1, wherein said means for receiving receives new advertising data each new day on which said executable program is executed.

54. The apparatus of claim 1, wherein said means for receiving receives new advertising data each time said executable program is executed.

55. The apparatus of claim 1, further comprising means for turning on said apparatus; and wherein said means for receiving receives new advertising data each time said apparatus is turned on.

56. The apparatus of claim 1, wherein said means for receiving receives advertising data relating to a plurality of advertisements; and said program execution means outputs display data incorporating each of said plurality of advertisements at respective times within said original display data generated by said executable program.

57. The apparatus of claim 1, wherein said means for receiving receives new advertisements data at predetermined times.

58. The apparatus of claim 57, further comprising means for inhibiting said program execution means from executing said

executable program when said means for receiving does not receive advertisement data at said predetermined times.

59. The apparatus of claim 1, wherein said means for receiving receives said executable program with said advertising data when said executable program is executed a first time; and said storage means is operable to store said executable program received by said means for receiving.

60. The apparatus of claim 1, wherein said means for receiving receives said executable program with said advertising data when said executable program is not stored in said storage means; and said storage means stores said executable program received by said means for receiving.

61. The apparatus of claim 1, further comprising means for transmitting to a program service provider a program identification code identifying the executable program to be executed, and wherein said means for receiving receives from the program service provider advertising data corresponding to the executable program identified by said program identification code.

62. The apparatus of claim 1, wherein said new advertisement data received by said means for receiving may be the same or different from the advertisement data previously received by said means for receiving and stored in said storage means.

63. The apparatus of claim 1, wherein said means for receiving receives a plurality of advertising data corresponding to a plurality of executable programs; and said storage means stores the received advertising data corresponding to the executable program to be executed by said program execution means.

64. The apparatus of claim 1, wherein said means for receiving receives said advertising data from a program transmitting system over a transmission line.

65. The apparatus of claim 1, wherein said means for receiving receives said advertising data from a satellite transmission.

66. The apparatus of claim 1, wherein said means for receiving receives said advertising data via a global computer network.

67. The apparatus of claim 1, wherein said means for receiving receives said advertising data via the Internet.

68. An apparatus for executing an executable program displaying data having advertisements therein, comprising:

storage means for storing an executable program and advertising data relating to a plurality of advertisements;

means for receiving at predetermined times advertising selection data identifying selected ones of said plurality of advertisements stored in said storage means; and

program execution means for executing said executable program stored in said storage means and outputting display data incorporating the selected advertisements identified in said advertising selection data at respective times within said original display data generated by said executable program.

69. The apparatus of claim 68, wherein said means for receiving receives new advertising selection data each new day on which said executable program is executed.

70. The apparatus of claim 68, wherein said means for receiving receives new advertising selection data each time said executable program is executed.

71. The apparatus of claim 68, further comprising means for turning on said apparatus; and wherein said means for receiving receives new advertising selection data each time said apparatus is turned on.

72. The apparatus of claim 68, wherein said means for receiving receives advertising selection data identifying plural ones of said plurality of advertisements; and said program execution means outputs display data incorporating each of the identified advertisements at respective times within said original display data generated by said executable program.

73. The apparatus of claim 68, further comprising means for inhibiting said program execution means from executing said executable program when said means for receiving does not receive advertisement selection data at said predetermined times.

74. The apparatus of claim 68, wherein said means for receiving receives said executable program and said advertising data with said advertising selection data when said executable program is executed a first time; and said storage means stores the received executable program and advertising data.

75. The apparatus of claim 68, wherein said means for receiving receives said executable program and said advertising data with said advertising selection data when said executable program and advertising data is not stored in said storage means; and said storage means stores the received executable program and advertising data.

76. The apparatus of claim 68, further comprising means for transmitting to a program service provider a program identification code identifying the executable program to be executed, and wherein said means for receiving receives from the program service provider advertising selection data corresponding to the executable program identified by said program identification code.

77. The apparatus of claim 68, wherein said means for receiving receives a plurality of advertising selection data corresponding to a plurality of executable programs; and said program execution means displays data incorporating the selected advertisements identified in the advertising selection data within said original display data generated by the executed program.

78. The apparatus of claim 68, wherein said advertisement selection data received by said means for receiving may be the same or different from the advertising selection data previously received by said means for receiving.

79. The apparatus of claim 68, wherein said means for receiving receives said advertising selection data over a transmission line from a program transmitting system.

80. The apparatus of claim 68, wherein said means for receiving receives said advertising data from a satellite transmission.

81. The apparatus of claim 68, wherein said means for receiving receives said advertising data via a global computer network.

82. The apparatus of claim 68, wherein said means for receiving receives said advertising data via the Internet.

83. Apparatus for executing an executable program displaying data having advertisements therein, comprising:

a memory for storing an executable program;

a receiver for receiving advertising data relating to at least one advertisement, and wherein said memory stores the received advertising data; and

an execution apparatus for executing said executable program stored in said memory and outputting display data

incorporating the advertisement data stored in said memory within an original display data generated by said executable program.

84. The apparatus of claim 83, wherein said receiver receives new advertising data each time said executable program is executed.

85. The apparatus of claim 83, wherein said receiver receives new advertising data each time said executable program is executed.

86. The apparatus of claim 83, wherein said receiver receives new advertising data each time said apparatus is turned on.

87. The apparatus of claim 83, wherein said receiver receives advertising data relating to a plurality of advertisements; and said execution apparatus outputs display data incorporating each of said plurality of advertisements at respective times within said original display data generated by said executable program.

88. The apparatus of claim 83, wherein said receiver receives new advertisements data at predetermined times.

89. The apparatus of claim 88, wherein said execution apparatus is inhibited from executing said executable program when said receiver does not receive advertisement data at said predetermined times.

90. The apparatus of claim 83, wherein said receiver receives said executable program with said advertising data when

said executable program is executed a first time; and said memory is operable to store said executable program received by said receiver.

91. The apparatus of claim 83, wherein said receiver receives said executable program with said advertising data when said executable program is not stored in said memory; and said memory stores said executable program received by said receiver.

92. The apparatus of claim 83, further comprising a transmitter for transmitting to a program service provider a program identification code identifying the executable program to be executed, and wherein said receiver receives from the program service provider advertising data corresponding to the executable program identified by said program identification code.

93. The apparatus of claim 83, wherein said new advertisement data received by said receiver may be the same or different from the advertisement data previously received by said receiver and stored in said memory.

94. The apparatus of claim 83, wherein said receiver receives a plurality of advertising data corresponding to a plurality of executable programs; and said memory stores the received advertising data corresponding to the executable program to be executed by said execution apparatus.

95. The apparatus of claim 83, wherein said receiver receives said advertising data from a program transmitting system over a transmission line.

96. The apparatus of claim 83, wherein said receiver receives said advertising data from a satellite transmission.

97. The apparatus of claim 83, wherein said receiver receives said advertising data via a global computer network.

98. The apparatus of claim 83, wherein said receiver receives said advertising data via the Internet.

99. An apparatus for executing an executable program displaying data having advertisements therein, comprising:

a memory for storing an executable program and advertising data relating to a plurality of advertisements;

a receiver for receiving at predetermined times advertising selection data identifying selected ones of said plurality of advertisements stored in said memory; and

an execution apparatus for executing said executable program stored in said memory and outputting display data incorporating the selected advertisements identified in said advertising selection data at respective times within said original display data generated by said executable program.

100. The apparatus of claim 99, wherein said receiver receives new advertising selection data each new day on which said executable program is executed.

101. The apparatus of claim 99, wherein said receiver receives new advertising selection data each time said executable program is executed.

102. The apparatus of claim 99, wherein said receiver receives new advertising selection data each time said apparatus is turned on.

103. The apparatus of claim 99, wherein said receiver receives advertising selection data identifying plural ones of said plurality of advertisements; and said execution apparatus outputs display data incorporating each of the identified advertisements at respective times within said original display data generated by said executable program.

104. The apparatus of claim 99, wherein said execution apparatus is inhibited from executing said executable program when said receiver does not receive advertisement selection data at said predetermined times.

105. The apparatus of claim 99, wherein said receiver receives said executable program and said advertising data with said advertising selection data when said executable program is executed a first time; and said memory stores the received executable program and advertising data.

106. The apparatus of claim 99, wherein said receiver receives said executable program and said advertising data with said advertising selection data when said executable program and

advertising data is not stored in said memory; and said memory stores the received executable program and advertising data.

107. The apparatus of claim 99, further comprising a transmitter for transmitting to a program service provider a program identification code identifying the executable program to be executed, and wherein said receiver receives from the program service provider advertising selection data corresponding to the executable program identified by said program identification code.

108. The apparatus of claim 99, wherein said receiver receives a plurality of advertising selection data corresponding to a plurality of executable programs; and said execution apparatus displays data incorporating the selected advertisements identified in the advertising selection data within said original display data generated by the executed program.

109. The apparatus of claim 99, wherein said advertisement selection data received by said receiver may be the same or different from the advertising selection data previously received by said receiver.

110. The apparatus of claim 99, wherein said receiver receives said advertising selection data over a transmission line from a program transmitting system.

111. The apparatus of claim 99, wherein said receiver receives said advertising data from a satellite transmission.

112. The apparatus of claim 99, wherein said receiver receives said advertising data via a global computer network.

113. The apparatus of claim 99, wherein said receiver receives said advertising data via the Internet.

114. A method of executing an executable program displaying data having advertisements therein, comprising the steps of:

storing an executable program in memory;

receiving advertising data relating to at least one advertisement at predetermined times;

storing the received advertising data in the memory;

executing the executable program stored in the memory;

and

outputting display data incorporating the advertisement data stored in the memory within an original display data generated by the executable program.

115. The method of claim 114, wherein said step of receiving is carried out by receiving new advertising data each new day on which the executable program is executed.

116. The method of claim 114, wherein said step of receiving is carried out by receiving new advertising data each time the executable program is executed.

117. The method of claim 114, further comprising the step of turning on a system which executes the executable

program; and wherein said step of receiving is carried out by receiving new advertising data each time the system is turned on.

118. The method of claim 114, wherein said step of receiving is carried out by receiving advertising data relating to a plurality of advertisements; and said step of outputting is carried out by outputting display data incorporating each of the plurality of advertisements at respective times within said original display data generated by the executable program.

119. The method of claim 114, further comprising the step of inhibiting the executable program from being executed when advertisement data is not received at the predetermined times.

120. The method of claim 114, wherein said step of receiving is carried out by receiving the executable program with the advertising data when the executable program is executed a first time.

121. The method of claim 114, wherein said step of receiving is carried out by receiving the executable program with the advertising data when the executable program is not stored in the memory.

122. The method of claim 114, further comprising the step of transmitting to a program service provider a program identification code identifying the executable program to be executed; and wherein said step of receiving is carried out by receiving from the program service provider advertising data

corresponding to the executable program identified by the program identification code.

123. The method of claim 114, wherein said step of receiving is carried out by receiving a plurality of advertising data corresponding to a plurality of executable programs; and said step of outputting is carried out by outputting display data incorporating the advertisement data within said original display data generated by the executable program that is executed.

124. The method of claim 114, wherein the received advertisement data may be the same or different from advertisement data previously received by said step of receiving.

125. The method of claim 114, wherein said step of receiving is carried out by receiving the advertising data from a program transmitting system over a transmission line.

126. The method of claim 114, wherein said step of receiving is carried out by receiving the advertising data from a satellite transmission.

127. The method of claim 114, wherein said step of receiving is carried out by receiving the advertising data via a global computer network.

128. The method of claim 114, wherein said step of receiving is carried out by receiving the advertising data via the Internet.

129. A method of executing an executable program displaying data having advertisements therein, comprising the steps of:

storing an executable program and advertising data relating to a plurality of advertisements in a memory;

receiving at predetermined times advertising selection data identifying selected ones of the plurality of advertisements stored in the memory;

executing the executable program stored in the memory;
and

outputting display data incorporating the selected advertisements identified in the advertising selection data at respective times within an original display data generated by the executable program.

130. The method of claim 129, wherein said step of receiving is carried out by receiving new advertising selection data each new day on which the executable program is executed.

131. The method of claim 129, wherein said step of receiving is carried out by receiving new advertising selection data each time the executable program is executed.

132. The method of claim 129, further comprising the step of turning on a system which executes the executable program; and wherein said step of receiving is carried out by receiving new advertising selection data each time the system is turned on.

133. The method of claim 129, wherein said step of receiving is carried out by receiving advertising selection data identifying plural ones of the plurality of advertisements; and said step of outputting is carried out by outputting display data incorporating each of the identified advertisements at respective times within the original display data generated by the executable program.

134. The method of claim 129, further comprising the step of inhibiting the executable program from being executed when advertisement selection data is not received at the predetermined times.

135. The method of claim 129, wherein said step of receiving is carried out by receiving the executable program and the advertising data with the advertising selection data when the executable program is executed a first time; and said step of storing is carried out by storing the received executable program and advertising data.

136. The method of claim 129, wherein said step of receiving is carried out by receiving the executable program and the advertising data with the advertising selection data when the executable program and advertising data are not stored in the memory; and said step of storing is carried out by storing the received executable program and advertising data.

137. The method of claim 129, further comprising the step of transmitting to a program service provider a program

identification code identifying the program to be executed; and wherein said step of receiving is carried out by receiving from the program service provider advertising selection data corresponding to the executable program identified by the program identification code.

138. The method of claim 129, wherein said step of receiving is carried out by receiving a plurality of advertising selection data corresponding to a plurality of executable programs; and said step of outputting is carried out by outputting display data incorporating the selected advertisements identified in the advertising selection data within said original display data generated by the executed program.

139. The method of claim 129, wherein the received advertisement selection data may be the same or different from advertisement selection data previously received by said step of selecting.

140. The method of claim 129, wherein said step of receiving is carried out by receiving the advertising selection data over a transmission line from a program transmitting system.

141. The method of claim 129, wherein said step of receiving is carried out by receiving the advertising data from a satellite transmission.

142. The method of claim 129, wherein said step of receiving is carried out by receiving the advertising data via a global computer network.

143. The method of claim 129, wherein said step of receiving is carried out by receiving the advertising data via the Internet.

144. An apparatus for exchanging information with an apparatus for executing an executable program having advertisements therein, comprising:

storage means for storing advertising data;

means for transmitting said advertising data relating to at least one advertisement to said apparatus for executing an executable program, said means for transmitting transmits new advertisement data at predetermined times; and wherein said apparatus for executing an executable program stores the received advertising data, executes an executable program, and outputs display data incorporating the stored advertisement data within an original display data generated by said executable program.

145. The apparatus of claim 144, wherein said means for transmitting transmits new advertising data each new day on which said executable program is to be executed at said apparatus for executing an executable program.

146. The apparatus of claim 144, wherein said means for transmitting transmits new advertising data each time said executable program is to be executed at said apparatus for executing an executable program.

147. The apparatus of claim 144, further comprising means for determining when said apparatus for executing an

executable program is turned on; and wherein said means for transmitting transmits new advertising data each time said apparatus for executing an executable program is turned on.

148. The apparatus of claim 144, wherein said means for transmitting transmits advertising data related to a plurality of advertisements; and said apparatus for executing an executable program outputs display data incorporating each of said plurality of advertisements at respective times within said original display data generated by said executable program.

149. The apparatus of claim 144, wherein said means for transmitting transmits new advertisement data at predetermined times.

150. The apparatus of claim 149, further comprising means for inhibiting said apparatus for executing an executable program from executing said executable program when said means for transmitting does not transmit advertisement data at said predetermined times.

151. The apparatus of claim 144, wherein said means for transmitting is operable to transmit an executable program with said advertising data when said executable program is to be executed a first time; and said apparatus for executing an executable program stores said executable program.

152. The apparatus of claim 144, wherein said means for transmitting transmits an executable program with said

advertising data when said executable program is not stored at said apparatus for executing an executable program.

153. The apparatus of claim 144, further comprising means for receiving a program identification code identifying the executable program to be executed at said apparatus for executing an executable program; and wherein said means for transmitting transmits advertising data corresponding to the executable program identified by said program identification code.

154. The apparatus of claim 144, wherein said means for transmitting transmits a plurality of advertising data corresponding to a plurality of executable programs; and said apparatus for executing an executable program stores the received advertising data corresponding to the executable program to be executed.

155. The apparatus of claim 144, wherein said new advertisement data transmitted by said transmitting means may be the same or different from the advertisement data previously transmitted by said transmitting means.

156. The apparatus of claim 144, wherein said means for transmitting transmits said advertising data over a transmission line.

157. The apparatus of claim 144, wherein said means for transmitting transmits said advertising data via a satellite transmission.

158. The apparatus of claim 144, wherein said means for transmitting transmits said advertising data via a global computer network.

159. The apparatus of claim 144, wherein said means for transmitting transmits said advertising data via the Internet.

160. An apparatus for exchanging information with an apparatus for executing an executable program having advertisements therein, comprising:

storage means for storing advertising data relating to a plurality of advertisements;

means for transmitting at predetermined times selected ones of said plurality of advertisements stored in said storage means in accordance with advertising selection data received from said apparatus for executing an executable program; said apparatus for executing an executable program executing said executable program and outputting display data incorporating the selected advertisements identified in said advertising selection data at respective times within said original display data generated by said executable program.

161. The apparatus of claim 160, wherein said means for transmitting transmits new advertising selection data each new day on which said executable program is to be executed by said apparatus for executing an executable program.

162. The apparatus of claim 160, wherein said means for transmitting transmits new advertising selection data each time

said executable program is to be executed by said apparatus for executing an executable program.

163. The apparatus of claim 160, further comprising means for determining when said apparatus for executing an executable program is turned on; and wherein said means for transmitting transmits new advertising selection data each time said apparatus for executing an executable program is turned on.

164. The apparatus of claim 160, wherein said means for transmitting transmits advertising selection data identifying plural ones of said plurality of advertisements; and said apparatus for executing an executable program outputs display data incorporating each of the identified advertisements at respective times within said original display data generated by said executable program.

165. The apparatus of claim 160, further comprising means for inhibiting said apparatus for executing an executable program from executing said executable program when said means for transmitting does not transmit advertisement selection data at said predetermined times.

166. The apparatus of claim 160, wherein said means for transmitting transmits an executable program and said advertising data with said advertising selection data when said executable program is to be executed a first time; and said apparatus for executing an executable program stores the transmitted executable program and advertising data.

167. The apparatus of claim 160, wherein said means for transmitting transmits an executable program and said advertising data with said advertising selection data when said executable program and advertising data is not stored at said apparatus for executing an executable program.

168. The apparatus of claim 160, further comprising means for receiving a program identification code identifying the executable program to be executed, and wherein said means for transmitting transmits advertising selection data corresponding to the executable program identified by said program identification code.

169. The apparatus of claim 160, wherein said means for transmitting transmits a plurality of advertising selection data corresponding to a plurality of executable programs; and said apparatus for executing an executable program displays data incorporating the selected advertisements identified in the advertising selection data within said original display data generated by the executed program.

170. The apparatus of claim 160, wherein said advertisement selection data transmitted by said means for transmitting may be the same or different from the advertisement selection data previously transmitted by said means for transmitting.

171. The apparatus of claim 160, wherein said means for transmitting transmits said advertising selection data over a transmission line.

172. The apparatus of claim 160, wherein said means for transmitting transmits said advertising data from a satellite transmission.

173. The apparatus of claim 160, wherein said means for transmitting transmits said advertising data via a global computer network.

174. The apparatus of claim 160, wherein said means for transmitting transmits said advertising data via the Internet.

175. An apparatus for exchanging information with an apparatus for executing an executable program having advertisements therein, comprising:

a memory for storing advertising data;

a transmitter for transmitting said advertising data relating to at least one advertisement to said apparatus for executing an executable program, said transmitter transmits new advertisement data at predetermined times; and wherein said apparatus for executing an executable program stores the received advertising data, executes an executable program, and outputs display data incorporating the stored advertisement data within an original display data generated by said executable program.

176. The apparatus of claim 175, wherein said transmitter transmits new advertising data each new day on which said executable program is to be executed at said apparatus for executing an executable program.

177. The apparatus of claim 175, wherein said transmitter transmits new advertising data each time said executable program is to be executed at said apparatus for executing an executable program.

178. The apparatus of claim 175, wherein said transmitter transmits new advertising data each time said apparatus for executing an executable program is turned on.

179. The apparatus of claim 175, wherein said transmitter transmits advertising data related to a plurality of advertisements; and said apparatus for executing an executable program outputs display data incorporating each of said plurality of advertisements at respective times within said original display data generated by said executable program.

180. The apparatus of claim 175, wherein said transmitter transmits new advertisement data at predetermined times.

181. The apparatus of claim 180, wherein said apparatus for executing an executable program is inhibited from executing said executable program when said transmitter does not transmit advertisement data at said predetermined times.

182. The apparatus of claim 175, wherein said transmitter is operable to transmit an executable program with said advertising data when said executable program is to be executed a first time; and said apparatus for executing an executable program stores said executable program.

183. The apparatus of claim 175, wherein said transmitter transmits an executable program with said advertising data when said executable program is not stored at said apparatus for executing an executable program.

184. The apparatus of claim 175, further comprising a receiver for receiving a program identification code identifying the executable program to be executed at said apparatus for executing an executable program; and wherein said transmitter transmits advertising data corresponding to the executable program identified by said program identification code.

185. The apparatus of claim 175, wherein said transmitter transmits a plurality of advertising data corresponding to a plurality of executable programs; and said apparatus for executing an executable program stores the received advertising data corresponding to the executable program to be executed.

186. The apparatus of claim 175, wherein said new advertisement data transmitted by said transmitter means may be the same or different from the advertisement data previously transmitted by said transmitting means.

187. The apparatus of claim 175, wherein said transmitter transmits said advertising data over a transmission line.

188. The apparatus of claim 175, wherein said transmitter transmits said advertising data via a satellite transmission.

189. The apparatus of claim 175, wherein said transmitter transmits said advertising data via a global computer network.

190. The apparatus of claim 175, wherein said transmitter transmits said advertising data via the Internet.

191. An apparatus for exchanging information with an apparatus for executing an executable program having advertisements therein, comprising:

a memory for storing advertising data relating to a plurality of advertisements;

a transmitter for transmitting at predetermined times selected ones of said plurality of advertisements stored in said memory in accordance with advertising selection data received from said apparatus for executing an executable program; said apparatus for executing an executable program executing said executable program and outputting display data incorporating the selected advertisements identified in said advertising selection data at respective times within said original display data generated by said executable program.

192. The apparatus of claim 191, wherein said transmitter transmits new advertising selection data each new day on which said executable program is to be executed by said apparatus for executing an executable program.

193. The apparatus of claim 191, wherein said transmitter transmits new advertising selection data each time said executable program is to be executed by said apparatus for executing an executable program.

194. The apparatus of claim 191, wherein said transmitter transmits new advertising selection data each time said apparatus for executing an executable program is turned on.

195. The apparatus of claim 191, wherein said transmitter transmits advertising selection data identifying plural ones of said plurality of advertisements; and said apparatus for executing an executable program outputs display data incorporating each of the identified advertisements at respective times within said original display data generated by said executable program.

196. The apparatus of claim 191, wherein said apparatus for executing an executable program is inhibited from executing said executable program when said transmitter does not transmit advertisement selection data at said predetermined times.

197. The apparatus of claim 191, wherein said transmitter transmits an executable program and said advertising data with said advertising selection data when said executable

program is to be executed a first time; and said apparatus for executing an executable program stores the transmitted executable program and advertising data.

198. The apparatus of claim 191, wherein said transmitter transmits an executable program and said advertising data with said advertising selection data when said executable program and advertising data is not stored at said apparatus for executing an executable program.

199. The apparatus of claim 191, further comprising a receiver for receiving a program identification code identifying the executable program to be executed, and wherein said transmitter transmits advertising selection data corresponding to the executable program identified by said program identification code.

200. The apparatus of claim 191, wherein said transmitter transmits a plurality of advertising selection data corresponding to a plurality of executable programs; and said apparatus for executing an executable program displays data incorporating the selected advertisements identified in the advertising selection data within said original display data generated by the executed program.

201. The apparatus of claim 191, wherein said advertisement selection data transmitted by said transmitter may be the same or different from the advertisement selection data previously transmitted by said transmitter.

202. The apparatus of claim 191, wherein said transmitter transmits said advertising selection data over a transmission line.

203. The apparatus of claim 191, wherein said transmitter transmits said advertising data from a satellite transmission.

204. The apparatus of claim 191, wherein said transmitter transmits said advertising data via a global computer network.

205. The apparatus of claim 191, wherein said transmitter transmits said advertising data via the Internet.

206. A method of exchanging information with an apparatus for executing an executable program having advertisements therein, comprising the steps of:

storing advertising data in memory; and

transmitting said advertising data relating to at least one advertisement at predetermined times to said apparatus for executing an executable program; wherein an executable program is executed at said apparatus for executing an executable program by outputting display data incorporating the transmitted advertisement data executable within an original display data generated by the program.

207. The method of claim 206, wherein said step of transmitting is carried out by transmitting new advertising data

each new day on which the executable program is to be executed at said apparatus for executing an executable program.

208. The method of claim 206, wherein said step of transmitting is carried out by transmitting new advertising data each time the executable program is to be executed at said apparatus for executing an executable program.

209. The method of claim 206, further comprising the step of determining when said apparatus for executing an executable program is turned on, and wherein said step of transmitting is carried out by transmitting new advertising data each time the apparatus for executing an executable program is turned on.

210. The method of claim 206, wherein said step of transmitting is carried out by transmitting advertising data relating to a plurality of advertisements; and said step of outputting is carried out by outputting display data incorporating each of the plurality of advertisements at respective times within said original display data generated by the executable program.

211. The method of claim 206, further comprising the step of inhibiting said apparatus for executing an executable program from executing said executable program when advertisement data is not transmitted at the predetermined times.

212. The method of claim 206, wherein said step of transmitting is carried out by transmitting an executable program

with the advertising data when the executable program is to be executed a first time at said apparatus for executing an executed program.

213. The method of claim 206, wherein said step of transmitting is carried out by transmitting an executable program with the advertising data when the executable program is not stored at said apparatus for executing an executed program.

214. The method of claim 206, further comprising the step of receiving a program identification code identifying the executable program to be executed at said apparatus for executing an executable program; and wherein said step of transmitting is carried out by transmitting advertising data corresponding to the executable program identified by the program identification code.

215. The method of claim 206, wherein said step of transmitting is carried out by transmitting a plurality of advertising data corresponding to a plurality of executable programs; and said apparatus for executing an executable program outputs display data incorporating the advertisement data within said original display data generated by said executable program that is to be executed by said apparatus for executing an executable program.

216. The method of claim 206, wherein the transmitted advertisement data may be the same or different from advertisement data previously transmitted.

217. The method of claim 206, wherein said step of transmitting is carried out by transmitting the advertising data over a transmission line.

218. The method of claim 206, wherein said step of transmitting is carried out by transmitting the advertising data from a satellite transmission.

219. The method of claim 206, wherein said step of transmitting is carried out by transmitting said advertising data via a global computer network.

220. The method of claim 206, wherein said step of transmitting is carried out by transmitting said advertising data via the Internet.

221. A method of exchanging information with an apparatus for executing an executable program having advertisements therein, comprising the steps of:

transmitting advertising data relating to a plurality of advertisements to said apparatus for executing an executable program; and

transmitting to said apparatus for executing an executable program at predetermined times advertising selection data identifying selected ones of the plurality of advertisements stored in the memory; wherein said apparatus for executing an executable program executes an executable program by outputting display data incorporating the selected advertisements identified

in the advertising selection data at respective times within an original display data generated by the executable program.

222. The method of claim 221, wherein said step of transmitting is carried out by transmitting new advertising selection data each new day on which the executable program is to be executed at said apparatus for executing an executable program.

223. The method of claim 221, wherein said step of transmitting is carried out by transmitting new advertising selection data each time the executable program is to be executed at said apparatus for executing an executable program.

224. The method of claim 221, further comprising the step of determining when said apparatus for executing an executable program is turned on, and wherein said step of transmitting is carried out by new advertising selection data each time the transmitting apparatus for executing an executable program is turned on.

225. The method of claim 221, wherein said step of transmitting is carried out by transmitting advertising selection data identifying plural ones of the plurality of advertisements; and said step of outputting is carried out by outputting display data incorporating each of the identified advertisements at respective times within the original display data generated by the executable program.

226. The method of claim 221, further comprising the step of inhibiting the apparatus for executing an executable program from executing said executable program when advertisement selection data is not transmitted at the predetermined times.

227. The method of claim 221, wherein said step of transmitting is carried out by transmitting an executable program and the advertising data with the advertising selection data when the executable program is to be executed a first time at said apparatus for executing an executable program; and said transmitted executable program and advertising data are stored at said apparatus for executing an executable program.

228. The method of claim 221, wherein said step of transmitting is carried out by transmitting an executable program and the advertising data with the advertising selection data when the executable program and advertising data are not stored at said apparatus for executing an executable program.

229. The method of claim 221, further comprising the step of receiving a program identification code identifying the game program to be executed at said apparatus for executing an executable program; and wherein said step of transmitting is carried out by transmitting advertising selection data corresponding to the executable program identified by the program identification code.

230. The method of claim 221, wherein said step of transmitting is carried out by transmitting a plurality of

advertising selection data corresponding to a plurality of executable programs, and said apparatus for executing an executable program outputting display data incorporating the selected advertisements identified in the advertising selection data within said original display data generated by the executable program that is to be executed by said apparatus for executing an executable program.

231. The method of claim 221, wherein the transmitted advertisement selection data may be the same or different from advertisement selection data previously transmitted.

232. The method of claim 221, wherein said step of transmitting is carried out by transmitting the advertising selection data over a transmission line.

233. The method of claim 221, wherein said step of transmitting is carried out by transmitting the advertising data from a satellite transmission.

234. The method of claim 221, wherein said step of transmitting is carried out by transmitting said advertising data via a global computer network.

235. The method of claim 221, wherein said step of transmitting is carried out by transmitting said advertising data via the Internet.

236. Apparatus for executing an executable program displaying updatable data therein, comprising:

storage means for storing an executable program;

means for receiving updatable data relating to updatable data to be displayed and wherein said storage means stores the received updatable data; and

execution means for executing said executable program stored in said storage means and outputting display data incorporating the updatable data stored in said storage means within an original display data generated by said executable program.

237. The apparatus of claim 236, wherein said means for receiving receives updatable data relating to a plurality of updatable display data; and said program execution means outputs display data incorporating each of said plurality of updatable display data at respective times within said original display data generated by said executable program.

238. The apparatus of claim 236, further comprising means for transmitting to a program service provider a program identification code identifying the executable program to be executed, and wherein said means for receiving receives from the program service provider updatable data corresponding to the executable program identified by said program identification code.

239. The apparatus of claim 236, wherein said means for receiving receives a plurality of updatable data corresponding to a plurality of executable programs; and said storage means stores the received updatable data corresponding to

the executable program to be executed by said program execution means.

240. An apparatus for executing an executable program displaying data having updatable data therein, comprising:

storage means for storing an executable program and updatable data relating to a plurality of updatable display data;

means for receiving at predetermined times updatable data identifying selected ones of said plurality of updatable display data stored in said storage means; and

program execution means for executing said executable program stored in said storage means and outputting display data incorporating the selected updatable display data identified in said updatable data at respective times within said original display data generated by said executable program.

241. Apparatus for executing an executable program displaying updatable data therein, comprising:

a memory for storing an executable program;

a receiver for receiving updatable data relating to updatable data to be displayed and wherein said memory stores the received updatable data; and

an execution apparatus for executing said executable program stored in said memory and outputting display data incorporating the updatable data stored in said memory within an original display data generated by said executable program.

242. The apparatus of claim 241, wherein said receiver receives updatable data relating to a plurality of updatable display data; and said execution apparatus outputs display data incorporating each of said plurality of updatable display data at respective times within said original display data generated by said executable program.

243. The apparatus of claim 241, further comprising a transmitter to a program service provider a program identification code identifying the executable program to be executed, and wherein said receiver receives from the program service provider updatable data corresponding to the executable program identified by said program identification code.

244. The apparatus of claim 241, wherein said receiver receives a plurality of updatable data corresponding to a plurality of executable programs; and said memory stores the received updatable data corresponding to the executable program to be executed by said program execution means.

245. An apparatus for executing an executable program displaying data having updatable data therein, comprising:

a memory for storing an executable program and updatable data relating to a plurality of updatable display data;
a receiver for receiving at predetermined times updatable data identifying selected ones of said plurality of updatable display data stored in said memory; and

an execution apparatus for executing said executable program stored in said memory and outputting display data incorporating the selected updatable display data identified in said updatable data at respective times within said original display data generated by said executable program.

246. A method of executing an executable program displaying updatable data therein, comprising the steps of:

- storing an executable program in memory;
- receiving updatable data relating to at least one updatable display data at predetermined times;
- storing the received updatable data in the memory;
- executing the executable program stored in the memory;

and

outputting display data incorporating the updatable data stored in the memory within an original display data generated by the executable program.

247. The method of claim 246, wherein said step of receiving is carried out by receiving updatable data relating to a plurality of updatable display data; and said step of outputting is carried out by outputting display data incorporating each of the plurality of updatable display data at respective times within said original display data generated by the executable program.

248. The method of claim 246, further comprising the step of transmitting to a program service provider a program

identification code identifying the executable program to be executed; and wherein said step of receiving is carried out by receiving from the program service provider updatable data corresponding to the executable program identified by the program identification code.

249. The method of claim 246, wherein said step of receiving is carried out by receiving a plurality of updatable data corresponding to a plurality of executable programs; and said step of outputting is carried out by outputting display data incorporating the updatable data within said original display data generated by the executable program that is executed.

250. A method of executing an executable program displaying updatable data therein, comprising the steps of:

storing an executable program and updatable data relating to a plurality of updatable display data in a memory;

receiving at predetermined times updatable data selection data identifying selected ones of the plurality of updatable display data stored in the memory;

executing the executable program stored in the memory;
and

outputting display data incorporating the selected updatable display data identified in the updatable data selection data at respective times within an original display data generated by the executable program.

251. An apparatus for exchanging information with an apparatus for executing an executable program having updatable data therein, comprising:

storage means for storing updatable data;

means for transmitting said updatable data relating to at least updatable data to be displayed to said apparatus for executing an executable program, said means for transmitting transmits new updatable data at predetermined times; and wherein said apparatus for executing an executable program stores the received updatable data, executes an executable program, and outputs display data incorporating the stored updatable data within an original display data generated by said executable program.

252. The apparatus of claim 251, wherein said means for transmitting transmits updatable data related to a plurality of updatable data to be displayed; and said apparatus for executing an executable program outputs display data incorporating each of said plurality of updatable data to be displayed at respective times within said original display data generated by said executable program.

253. The apparatus of claim 251, further comprising means for receiving a program identification code identifying the executable program to be executed at said apparatus for executing an executable program; and wherein said means for transmitting

transmits updatable data corresponding to the executable program identified by said program identification code.

254. The apparatus of claim 251, wherein said means for transmitting transmits a plurality of updatable data corresponding to a plurality of executable programs; and said apparatus for executing an executable program stores the received updatable data corresponding to the executable program to be executed.

255. An apparatus for exchanging information with an apparatus for executing an executable program having updatable data therein, comprising:

storage means for storing updatable data relating to a plurality of updatable data to be displayed;

means for transmitting at predetermined times selected ones of said plurality of updatable data to be displayed stored in said storage means in accordance with updatable selection data received from said apparatus for executing an executable program; said apparatus for executing an executable program executing said executable program and outputting display data incorporating the selected updatable data to be displayed identified in said updatable data selection at respective times within said original updatable data generated by said executable program.

256. An apparatus for exchanging information with an apparatus for executing an executable program having updatable data therein, comprising:

a memory for storing updatable data;

a transmitter for transmitting said updatable data relating to at least updatable data to be displayed to said apparatus for executing an executable program, said transmitter transmits new updatable data at predetermined times; and wherein said apparatus for executing an executable program stores the received updatable data, executes an executable program, and outputs display data incorporating the stored updatable data within an original display data generated by said executable program.

257. The apparatus of claim 256, wherein said transmitter transmits updatable data related to a plurality of updatable data to be displayed; and said apparatus for executing an executable program outputs display data incorporating each of said plurality of updatable data to be displayed at respective times within said original display data generated by said executable program.

258. The apparatus of claim 256, further comprising a receiver for receiving a program identification code identifying the executable program to be executed at said apparatus for executing an executable program; and wherein said transmitter transmits updatable data corresponding to the executable program identified by said program identification code.

259. The apparatus of claim 256, wherein said transmitter transmits a plurality of updatable data corresponding

to a plurality of executable programs; and said apparatus for executing an executable program stores the received updatable data corresponding to the executable program to be executed.

260. An apparatus for exchanging information with an apparatus for executing an executable program having updatable data therein, comprising:

a memory for storing updatable data relating to a plurality of updatable data to be displayed; and

a transmitter for transmitting at predetermined times selected ones of said plurality of updatable data to be displayed stored in said memory in accordance with updatable selection data received from said apparatus for executing an executable program; said apparatus for executing an executable program executing said executable program and outputting display data incorporating the selected updatable data to be displayed identified in said updatable data selection at respective times within said original updatable data generated by said executable program.

261. A method of exchanging information with an apparatus for executing an executable program having updatable data therein, comprising the steps of:

storing updatable data in memory; and

transmitting said updatable data relating to at least one updatable data to be displayed at predetermined times to said apparatus for executing an executable program; wherein an executable program is executed at said apparatus for executing an

executable program by outputting display data incorporating the transmitted updatable data to be displayed executable within an original display data generated by the program.

262. The method of claim 261, wherein said step of transmitting is carried out by transmitting updatable data relating to a plurality of updatable data to be displayed; and said step of outputting is carried out by outputting display data incorporating each of the plurality of updatable data to be displayed at respective times within said original display data generated by the executable program.

263. The method of claim 261, further comprising the step of receiving a program identification code identifying the executable program to be executed at said apparatus for executing an executable program; and wherein said step of transmitting is carried out by transmitting updatable data corresponding to the executable program identified by the program identification code.

264. The method of claim 261, wherein said step of transmitting is carried out by transmitting a plurality of updatable data corresponding to a plurality of executable programs; and said apparatus for executing an executable program outputs display data incorporating the updatable data within said original display data generated by said executable program that is to be executed by said apparatus for executing an executable program.

265. A method of exchanging information with an apparatus for executing an executable program having updatable data therein, comprising the steps of:

transmitting updatable data relating to a plurality of updatable data to be displayed to said apparatus for executing an executable program; and

transmitting to said apparatus for executing an executable program at predetermined times updatable data selection data identifying selected ones of the plurality of updatable data to be displayed stored in the memory; wherein said apparatus for executing an executable program executes an executable program by outputting display data incorporating the selected updatable data to be displayed identified in the updatable data selection data at respective times within an original display data generated by the executable program.

266. A method for providing updated advertisement information, comprising the steps of:

storing an executable program that produces a display, the display having a first display area and a second display area located within said first display area, wherein said first display area displays a main display and said second display area displays advertising information; and

transmitting to a recipient an updated advertisement corresponding to said display, whereby execution of said executable program by said recipient causes display of the

updated advertisement in said second display area of said display.

267. The method of claim 266, wherein said updated advertisement includes updated advertisement data relating to a plurality of updated advertisements, and execution of said executable program causes display of each of the plurality of updated advertisements at respective times.

268. The method of claim 266, further comprising the step of transmitting a program identification code identifying the executable program to be executed, wherein said updated advertisement data corresponds to said executable program to be executed identified by said program identification code.

269. A system for providing updated advertisement information, comprising:

means for storing updatable data relating to a plurality of updatable data to be displayed; and

means for transmitting to a recipient an updated advertisement corresponding to said display, whereby execution of said executable program by said recipient causes display of the updated advertisement in said second display area of said display.

270. The system of claim 269, wherein said updated advertisement includes updated advertisement data relating to a plurality of updated advertisements, and execution of said

executable program causes display of each of the plurality of updated advertisements at respective times.

271. The system of claim 269, further comprising means for transmitting a program identification code identifying the executable program to be executed, wherein said updated advertisement data corresponds to said executable program to be executed identified by said program identification code.

272. A system for providing updated advertisement information, comprising:

a memory for storing an executable program that produces a display, the display having a first display area and a second display area located within said first display area, wherein said first display area displays a main display and said second display area displays advertising information; and

a transmitter for transmitting to a recipient an updated advertisement corresponding to said display, whereby execution of said executable program by said recipient causes display of the updated advertisement in said second display area of said display.

273. The system of claim 272, wherein said updated advertisement includes updated advertisement data relating to a plurality of updated advertisements, and execution of said executable program causes display of each of the plurality of updated advertisements at respective times.

274. The system of claim 272, wherein said transmitter transmits a program identification code identifying the executable program to be executed, wherein said updated advertisement data corresponds to said executable program to be executed identified by said program identification code.

275. A method for receiving updated advertisement information comprising the steps of:

receiving an executable program that produces a display, said display comprising a first display area and a second display area located within said first display area, wherein said first display area displays a main display and said second display area displays advertising information;

receiving an updated advertisement corresponding to said display; and

executing said executable program to cause display of said updated advertisement within said second display area.

276. The method of claim 275, wherein said updated advertisement includes updated advertisement data relating to a plurality of updated advertisements, and execution of said executable program causes display of each of the plurality of updated advertisements at respective times.

277. The method of claim 275, further comprising the step of receiving a program identification code identifying the executable program to be executed, wherein said updated

advertisement data corresponds to said executable program to be executed identified by said program identification code.

278. A system for providing updated advertisement information, comprising:

program receiving means for receiving an executable program that produces a display, said display comprising a first display area and a second display area located within said first display area, wherein said first display area displays a main display and said second display area displays advertising information;

advertisement receiving means for receiving an updated advertisement corresponding to said display; and

execution means for executing said executable program to cause display of said updated advertisement within said second display area.

279. The system of claim 278, wherein said updated advertisement includes updated advertisement data relating to a plurality of updated advertisements, and execution of said executable program causes display of each of the plurality of updated advertisements at respective times.

280. The system of claim 278, further comprising means for receiving a program identification code identifying the executable program to be executed, wherein said updated advertisement data corresponds to said executable program to be executed identified by said program identification code.

281. A system for providing updated advertisement information, comprising:

a program receiver for receiving an executable program that produces a display, said display comprising a first display area and a second display area located within said first display area, wherein said first display area displays a main display and said second display area displays advertising information;

an advertisement receiver for receiving an updated advertisement corresponding to said display; and

a program executor for executing said executable program to cause display of said updated advertisement within said second display area.

282. The system of claim 281, wherein said updated advertisement includes updated advertisement data relating to a plurality of updated advertisements, and execution of said executable program causes display of each of the plurality of updated advertisements at respective times.


283. The system of claim 281, further comprising a program identification code receiver for receiving a program identification code identifying the executable program to be executed, wherein said updated advertisement data corresponds to said executable program to be executed identified by said program identification code.

REMARKS

This preliminary amendment corrects obvious errors and addresses objections of the Examiner in the parent application. Claims are presented to round out the scope of protection to which Applicant is entitled. No new matter is added. Entry of the above amendatory matter including the substitute Declaration submitted in the parent application and early examination on the merits are respectfully requested.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicant

By: 
William S. Frommer
Registration No. 25,506
Tel. (212) 588-0800

VERSION WITH MARKINGS SHOWING CHANGES MADE

1. (Amended) Apparatus for executing an executable
[a game] program displaying data having advertisements therein,
comprising:

storage means for storing [a game] an executable program;
means for receiving advertising data relating to at least
one advertisement, [said means for receiving being operable to
receive new advertisement data at predetermined times,] and
wherein said storage means stores the received advertising data;
and

[program] execution means for executing said [game]
executable program stored in said storage means and outputting
display data [corresponding to] incorporating the advertisement
data stored in said storage means [in accordance with said game]
within an original display data generated by said executable
program.

PATENT
450100-3580.2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Continuation of Serial No. 09/384,894

Applicant : Kan EBISAWA
Filed : Herewith
For : APPARATUS AND METHOD FOR EXECUTING A GAME PROGRAM
HAVING ADVERTISEMENTS THEREIN
Examiner : J. Romain
Art Unit : 2163

745 Fifth Avenue
New York, New York 10151
Tel. (212) 588-0800

EXPRESS MAIL

Mailing Label Number EV 001579921 US

Date of Deposit December 6, 2001
I hereby certify that this paper or fee is being
deposited with the United States Postal Service
"Express Mail Post Office to Addressee" Service
under 37 CFR 1.10 on the date indicated above and
is addressed to the U.S. Patent and Trademark Office,
P.O. Box 2327, Arlington, Virginia 22202

Charles J. Ives
(Typed or printed name of person
mailing paper or fee)

Charles J. Ives
(Signature of person mailing paper or fee)

SECOND PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Before the issuance of the first Official Action,
please amend the above-identified application as follows:

IN THE CLAIMS:

Please cancel claims 236-265.

REMARKS


Applicant has requested cancellation of claims 236-265 to conform this continuation application in accordance with a restriction requirement in parent application Serial No. 09/384,894. These claims were entered and cancelled to maintain the numbering of the claims from the parent application. These claims are cancelled without prejudice to the continued prosecution of these claims in a divisional application.

Early and favorable consideration are respectfully requested.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicant

By:


William S. Frommer
Reg. No. 25,506
Tel. (212) 588-0800